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C O N F I D E N T I A L ANKARA 000542

SIPDIS

DEPT FOR EUR/SE

E.O. 12958: DECL: 04/10/2019

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SUBJECT: CALIFORNIA GENOCIDE BILL THREATENS U.S.-TURKEY  
RELATIONS

Classified By: POL Counselor Daniel O'Grady, reasons 1.4 (b,d)

11. (C) MFA U/S Apakan conveyed to Ambassador April 10 the following points on a bill before the California State Assembly that would prohibit the state from contracting with companies that have engaged with governments that are perpetrators of genocide. He underscored the seriousness of the matter and cautioned that the bill threatens to dangerously impair U.S.-Turkey relations.

12. (C) BEGIN POINTS (AS RECEIVED):

-- A bill before the California State Assembly threatens to dangerously impair our relations.

-- This bill would amend the California Public Contract Code, section "State Acquisition of Good and Services" to prohibit the State from contracting with companies which may have engaged with governments that are perpetrators of genocide.

-- California State Legislature Assembly member Paul Krekorian is the author of the bill which is tabled under number AB 961.

-- This bill will be taken up by the Committee on Business and Professions on 21 April.

-- The so-called Armenian Genocide is among the five events considered as genocide.

-- This bill is clearly a ticking bomb threatening our relations.

-- Our prominent companies and the Union of Chamber and Commodity Exchanges Commerce are very concerned by this bill.

-- Turkey considers this bill as a poorly concealed attempt to stigmatize Turkish companies as well as these companies such as Nestle, Shell, BP, Deutsche Bank, Exxon, BNP Paribas whose predecessors have done business in the Ottoman Empire.

-- We believe it conflicts with settled principles of international law and directly intrude on the exclusive power of your federal government to regulate foreign affairs.

-- It would be almost as damaging as the adoption of H.RES 252 in the Congress or a negative Presidential statement on 24th April.

-- You cannot say that this is a prerogative of the California state as its consequences would involve your country as a whole and will also affect Turkey as a whole as

well.

-- There is a precedent. The State of Massachusetts had enacted a bill concerning companies that did business with Burma. The Supreme Court then decided that it conflicted with the U.S. Constitution. The ground was that the complete responsibility for the conduct of foreign relations is upon the federal government.

-- These are the main points I wanted to raise with you today so that you can convey them urgently to Washington. We are very much concerned about this initiative.

END POINTS.

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<http://www.intelink.sgov.gov/wiki/Portal:Turkey>

Jeffrey